

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DIJON MALIK BOYD,

Petitioner,

v.

SDCC, et al.,

Respondents.

Case No. 2:22-cv-01070-RFB-EJY

Order Directing Petitioner to Pay Filing
Fee or Submit Application to Proceed In
Forma Pauperis

Dijon Malik Boyd has submitted a *pro se* petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254 (ECF No. 1-1). He has not, however, either paid the \$5.00 filing fee or submitted a completed application to proceed in forma pauperis with the required inmate account statements for the past sixth months and financial certificate. 28 U.S.C. § 1915(a)(2); Local Rule LSR1-2.

This action therefore is subject to dismissal without prejudice as improperly commenced. However, it is unclear from the papers presented whether a dismissal without prejudice will materially affect a later analysis of any timeliness issue with respect to a new action.

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1 **IT IS THEREFORE ORDERED** that within **30 days** of the date of this order
2 petitioner must submit either the \$5.00 filing fee or a fully completed application to
3 proceed in forma pauperis.

4 **IT IS FURTHER ORDERED** that failure to do so may result in the dismissal of this
5 action without prejudice.

6 **IT IS FURTHER ORDERED** that the Clerk of Court retain the petition but not file it
7 at this time.

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9 DATED: 26 January 2023.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE